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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,689	07/16/2003	Bruce L. Horn	7118-001US	1760
7590	02/10/2006		EXAMINER	
Jacques M. Dulin, Esq. Innovation Law Group, Ltd. 237 N. Sequim Avenue Sequim, WA 98382			MYINT, DENNIS Y	
			ART UNIT	PAPER NUMBER
			2162	
DATE MAILED: 02/10/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/621,689	HORN, BRUCE L.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dennis Myint	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 16 July 2003.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-12 is/are rejected.  
 7) Claim(s) 2 and 12 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 16 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 07/16/2003.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. Claims 1-12 have been examined.

### ***Claim Objections***

2. Claim 2 and 12 are objected because parenthesis is used in claim 2 line 18 and claim 12 line 18 to further specify the limitation as “displaying (vie get info)”. Any limitation in parenthesis is not considered as part of the invention.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 2 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation “in an inverse manner” in line 4 of claim 2 and line 4 of claim 12 is vague, thus rendering the scope of respective claims indefinite.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1, 3-7, 9, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins et al. (U.S. Patent Number 6457017) in view of McCotter et al. (U.S. Patent Number 6401097) and further in view of Lewak et al. (U.S. Patent Number 5544360).

Referring to claim 1, Watkins et al. teaches a computer data processing system including a central processing unit configured with an integrated computer control software system for the management of information data objects including automatic organization, indexing and viewing of information, said data processing system comprising:

a) a computer-readable memory structured with a partitioned storage organization having at least one object store object-oriented database (Watkins et al., Figure 7, "ODBC" 62, Column 7 Line 65 through Column 8 Line 9 and Column 8 Line 48-61) including foundation objects (Watkins et al., Figure 7, "Central Object" 70 and Column 7 Line 39-59) and reference objects (Watkins et al., Column 7 Line 52-55 "Object Linking and Embedding (OLE) objects"), and at least one catalog database containing metadata (Watkins et al., Figure 7, "ODBC" 62, Column 7 Line 65 through Column 8 Line 9 and Column 8 Line 48-61, "all the attribute and metadata information are stored in the ODBC database");

b) a computer display connected to said memory for displaying objects from said object-oriented database in a desktop-style interface (Watkins et al., Figure 7 'User Interface" 68 and Column 11 Line 56 through Column 12 Line 19);

c) a computer-user interface device for inputting information to said data processing system, including information to specify objects or properties of objects, and for input of objects from external sources (Watkins et al., Column 14 Line 20-38 and Column 3 Line 14-26);

d) an applications program having component architecture code processed by said central processing unit so as to scan source data of objects (Watkins Column 3 Line 44-53+), create or extract metadata from said scanned objects (Watkins Column 8 Line 48-61), store said metadata in said catalog database (Watkins et al., Figure 7, "ODBC" 62, Column 7 Line 65 through Column 8 Line 9 and Column 8 Line 48-61, "all the attribute and metadata information are stored in the ODBC database"), and store reference objects in said object store with metadata links attached to said reference objects (Watkins et al., Column 8 58-61 and Column 9 Line 22-34) to provide automatic organization, indexing and viewing of information objects in said desktop-style interface.

Watkins et al., teaches that said object store database is a tree (Watkins et al. Column 7 15-20) but does not explicitly recites said tree is a B-tree. However, McCotter et al. teaches a system and method for integrated document management wherein a B-tree is employed to represent the objects in the object store (McCotter et al., Column 52-69). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add the feature of using a B-tree in an object store as taught by

McCotter et al. to the system and method taught by Watkins so that the resultant system and method would comprise a B-tree in the object store. One would have been motivated to do so simply because it is easier to delete or add nodes in a B-tree.

In addition, Watkins et al. teaches that reference objects are stored in said object store with metadata links attached to said reference objects to provide automatic organization, indexing and viewing of information objects but does not explicitly recite that said objects are from multiple sources while storing only one instance of said reference object. However, Lewak et al. teaches a method and system for accessing computer files and data, using linked categories assigned to each data file wherein reference objects (Lewak et al. et al., "file location" in File Information Directory, Column 6 17-22) with metadata links (Lewak et al., Column 5 Line 4-31) attached to said reference objects to provide automatic organization, indexing and viewing of information objects from multiple sources in said desktop-style interface while storing only one instance of said reference object (Lewak et al., Column 4 Line 58-67). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the feature of, indexing and viewing of information objects from multiple sources while storing only one instance of said reference object as taught by Lewak et al. with the system and method taught by Watkins so that, in the combined system and method, reference objects will be stored an object store with metadata links attached to said reference objects to provide automatic organization, indexing and viewing of information objects from multiple sources while storing only one instance of said reference object. One would have been motivated to do so in order to "provide a

method for accessing files which provides intuitive access by user-defined topics", which provides "easy access to a large number of files and to files having overlapping categories" (Lewak et al., Column 3 Line 46-56).

Referring to claim 3, the system and method of Watkins et al. in view of McCotter et al and further in view of Lewak et al. as discussed above with regard to claim 1 discloses the invention as claimed. Watkins et al. in view of McCotter et al and further in view of Lewak et al. teaches of the system of claim 1, wherein the central processing unit processes so as to generate and store in said catalog database metadata selected from association metadata (Lewak et al., "File Category Table Structure", "Category Description" in Column 5 Line 3-31 and "Array of Identifiers of the associated Categories in Column 6 Line 24-33) and link metadata (Lewak et al., "file location" in File Information Directory, Column 6 17-22), said metadata permitting storage of only one reference object and linking it to one or more collection groups (Lewak et al., Column 4 Line 58-67) .

Referring to claim 4, the system and method of Watkins et al. in view of McCotter et al and further in view of Lewak et al. as discussed above with regard to claim 3 discloses the invention as claimed. Watkins et al. in view of McCotter et al and further in view of Lewak et al. teaches of the system of claim 3, wherein said central processing unit processes so as to include in said metadata a UID (Watkins et al., "Object ID" in Column 8 Line 62 through Column 9 Line 19) and a UUID (Watkins et al. "an Object ID was well as version number" in Column 9 Line 64 to Column 10 Line 5) and to alias said UID and UUID to collections selected (Lewak et al., Column 6 Line 44-60), set or

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created by the user to create retrieval links from the relevant collections to the reference object so that only one instance of said reference object is stored in said object oriented database, thereby saving data storage capacity (Lewak et al., Column 5 Line 4-31) .

Referring 5, the system and method of Watkins et al. in view of McCotter et al and further in view of Lewak et al. as discussed above with regard to claim 4 discloses the invention as claimed. Watkins et al. in view of McCotter et al and further in view of Lewak et al. teaches of the system of claim 4, wherein said central processing unit processes so as to scan an incoming object's source data (Watkins Column 3 Line 44-53+), and upon recognition of individual objects as contained in said source data, create reference objects (Watkins Column 8 Line 48-61) tagged with UUIDs to provide a one-to-one mapping between external data and said reference objects (Watkins et al. "an Object ID was well as version number" in Column 9 Line 64 to Column 10 Line 5), and to automatically classify (Lewak et al., Column 7 Line 50 through Column 8 Line 16) and place representative icons of objects into multiple collections or containers ("Hybrid Folders" in Column 2 Line 40-47 and Column 4 Line 58 through Column 5 Line 2) using said link metadata rather than duplication of said objects, thereby allowing users to categorize objects in ways that most clearly reflect different approaches and ways of viewing the same information, and to apply a user's categorizations in an inverse manner to show relationships between objects and filter out those that are not relevant to the current view for user viewing by reference (Lewak et all, Column 8 Line 16-30).

Referring to claim 6, the system and method of Watkins et al. in view of McCotter et al and further in view of Lewak et al. as discussed above with regard to claim 3

discloses the invention as claimed. Watkins et al. in view of McCotter et al and further in view of Lewak et al. teaches of the system of claim 3, wherein said central processing unit processes so as to place only link metadata (Lewak et al., "file location" in File Information Directory, Column 6 17-22) in said catalog for ease of organization and cross-referencing of objects among a large group of collections and containers by clicking on the icon representing an object in one collection window and dragging it into another collection window to establish a new link and new link metadata entry in said catalog database so that said reference object is viewable, accessible and retrievable from both collections (Lewak et al., Column 8 Line 61-67, Column 11 Line 3-8, and Column 15 Line 22-36) .

Referring to claim 7, the system and method of Watkins et al. in view of McCotter et al and further in view of Lewak et al. as discussed above with regard to claim 3 discloses the invention as claimed. Watkins et al. in view of McCotter et al and further in view of Lewak et al. teaches of the system of claim 3, wherein said central processing unit processes so as to query said metadata, including queries selected from matching key phrases in an object's text, matching dates and time ranges or exact matches, matches of sizes, ordering or type (Lewak et al., Column 10 Line 19 through Column 11 Line 2 ), and to create dynamic links based on matches detected (Lewak et all, Column 11 Line 3-16), including automatic query processing of incoming external and internally created objects for dynamic updating of all relevant collections so that any changes in the user's information space or desktop results in timely and appropriate changes to affected object views and for hypertext generation (Watkins Column 3 Line 44-53+ and

Lewak et al., Column 8 Line 6-15), highlighting and linking in textual properties of objects, including objects selected from e-mail text and document text.

Referring to claim 9, the system and method of Watkins et al. in view of McCotter et al and further in view of Lewak et al. as discussed above with regard to claim 1 discloses the invention as claimed. Watkins et al. in view of McCotter et al and further in view of Lewak et al. teaches of the system of claim 1, wherein said central processing unit processes so as to provide to users a basic set of organization principles for users to intuitively manage their information so as to reflect the information's relationships as they occur and change in the real world, including relationship principles based on people, projects, activities, events, time and place (Lewak et al., Column 16 Line 11-27 and Column 2 Line 39-53).

Claim 10 is rejected on the same basis as claim 9.

Claim 11 is rejected on the same basis as claim 1.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins et al. in view of McCotter et al., further in view of Lewak et al. and further in view of Rochford et al. (U.S. Patent Number 6691282).

Referring to claim 8, Watkins et al. in view of McCotter et al and further in view of Lewak et al. as applied to claim 1 above does not explicitly recite that, in the said system, during user scrolling, views of objects and their containment relationships or location paths within said memory in a window on the display so the visible object's containment hierarchies are continuously made visible in a dynamically-updating portion

of the window, and as the scrolling continues in descending hierarchical order, the container of each branch remains visible in, or sticks-to, a dynamically-updating portion of the window, and in ascending hierarchical order, the stuck container views are deleted. However, Rochford et al. teaches a system and method for displaying and navigating containment hierarchies, wherein during user scrolling (Rochford et al., Figure and Column 2 Line 62-64), views of objects and their containment relationships or location paths within said memory in a window on the display so the visible object's containment hierarchies are continuously made visible in a dynamically-updating portion of the window, and as the scrolling continues in descending hierarchical order, the container of each branch remains visible in, or sticks-to, a dynamically-updating portion of the window, and in ascending hierarchical order, the stuck container views are deleted (Rochford et al., Column 3 Line 66 through Column 4 Line67 and Column 6 Line 48-55 ).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add the feature of containment hierarchy displaying as taught by Rochford et al. to the system and method taught by Watkins et al. in view of McCotter et al and further in view of Lewak et al. so, in the resultant system and method, the container of each branch of the hierarchy would remain visible in, or sticks-to, a dynamically-updating portion of the window. One would have been motivated to do so in order to "be able to navigate through a file folder containment hierarchy in a manner which allows the context of what is being observed to be continuously clear"(Rochford et al., Column 2 Line 8-11).

***Allowable Subject Matter***

1. Claim 2 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, assuming correction of the claim objections and claim rejections under 35 U.S.C. 112 above.

The following is a statement of reasons for the indication of allowable subject matter. Referring to claim 2 and 12, Watkins et al. in view of McCotter et al and further in view of Lewak et al. teaches the system of claim 1 wherein said central processor unit processes said code so as to generate and provide:

- ii) viewing by reference, by applying a user's categorizations in an inverse manner to show relationships between objects and filtering out those that are not relevant to the current view (Lewak et al., Column 8 Line 16-30);
- iii) refining of views, by automatically conjoining specifications of multiple chosen collections (Lewak et al., Column 9 Line 56 through Column 10 Line 9);
- vi) automatic generation of collections by one or more object content attributes selected by the user from among user-defined categorization(s), user of system-defined metadata query specification(s), user or system-defined key phrase matching, and combinations thereof (Lewak et al. Column Line 50-54 and Column 8 Line 6-15);
- x) real-time filtering/sorting ("displayed alphabetically" Lewak et al., Column 8 Line 16-30);

xi) notification to the user of collection establishment and changes in collections ("notify the user" Lewak et al. Column 7 Line 49-67, Column 8 Line 6-15); and

xii) link creation between objects and collections by drag-and-drop attribution, including the use of collections to add key phrases to an object by dragging into a collection (Lewak et al., Column 8 Line 61-67, Column 11 Line 3-8, and Column 15 Line 22-36); and

However, Watkins et al. in view of McCotter et al and further in view of Lewak et al. fails to teach that said system provide:

- i) automatic, collection-based key-phrase hyperlinking;
- iv) time-based dynamic hierarchical collections;
- v) sticky path hierarchical scroll display;
- vii) worksets for determining the union of applications used to create/edit a given set of objects in a collection or other container;
- viii) an extensible domain mechanism for adding functionality to the system;
- ix) an extensible mechanism for extracting, storing, displaying (via get info) and managing attribute from files of many different formats;
- xiii) the setting of specific property values of objects by dragging object icons to special drop-targets.

Therefore, claim 2 and 12 are allowable if written in an independent form.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Myint whose telephone number is (571) 272-5629. The examiner can normally be reached on 8:30AM-5:30PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dennis Myint

AU-2162

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